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3 BILL NO. R-77-05- 16

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5 RESOLUTION NO. R - 25-77
6 THE CITY OF FORT WAYNE CONCERNING
7 A COLLECTIVE BARGAINING AGREEMENT
8 BETWEEN THE CITY OF FORT WAYNE,
9 INDIANA AND ITS EMPLOYEES AND THEIR
10 DESIGNATED COLLECTIVE BARGAINING
11 REPRESENTATIVES.



12 WHEREAS, the City of Fort Wayne, Indiana entered into a
13 certain Contract with International Association of Machinists
14 and Aerospace Workers Lodges No. 2569, 2570 and 2571 for a
15 Contract commencing November 9, 1975, consisting of a Collective
16 Bargaining Agreement between said City and said Local Lodges
17 2569, 2570 and 2571, International Association of Machinists
18 and Aerospace Workers; and,

19 WHEREAS, there has arisen disputes between the City of
20 Fort Wayne and its employees and their designated Collective
21 Bargaining Representatives concerning wages, hours and working
22 conditions in accordance with the Contract provisions; and,

23 WHEREAS, certain grievances of Terry Atherton, dated
24 3/4/76 and grievance No. 44-1976, dated 7/21/76 concerning
25 progression increases due March 1, 1976 and July 1, 1976 provided
26 under Article XXVII of said Collective Bargaining Agreement have
27 been submitted, by agreement between the City of Fort Wayne,
28 Indiana and International Association of Machinists and Aero-
29 space Workers, Lodges No. 2569, 2570, 2571 to an impartial
30 arbitrator, who was so selected by the parties to hear and
31 decide the matter in dispute; and,

32 WHEREAS, a hearing was held in Fort Wayne, Indiana on
33 August 23, 1976 at which time the above parties had full
34 opportunity to present evidence and arguments; and,

35 WHEREAS, said arbitrator decided that the progression
36 wage steps for March and July, 1976, at issue under Article
37 XXVII of said Collective Bargaining Agreement, must be paid
38 by the City of Fort Wayne; and,

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4 WHEREAS, said City has paid all progression wage steps
5 due in 1976 including progression wage steps due effective
6 September 1, 1976; and,

7 WHEREAS, said decision by the arbitrator, said compliance
8 by the City and said decision by the City to pay September, 1976
9 progression wage steps established a legal liability upon the
10 City to pay wage progression steps, in accordance with Article
11 XXVII of said Agreement; and,

12 WHEREAS, said Collective Bargaining Agreement provides
13 progression wage steps throughout the term of said Agreement
14 for employees who have not attained the top wage rate for their
15 salary grade; and,

16 WHEREAS, said progression wage steps provide a systematic
17 method of eliminating discriminatory wage practices; and,

18 WHEREAS, the Common Council considers those Collective
19 Bargaining Agreements to be a method of eliminating unfair
20 employment practices, discriminatory wage differentials and
21 other practices harmful to City employees and contrary to the
22 public welfare; and,

23 WHEREAS, The Common Council and the Mayor ratified the
24 Collective Bargaining Agreement between the City of Fort Wayne
25 and International Association of Machinists and Aerospace
26 Workers, Local Lodges 2569, 2570 and 2571; and

27 WHEREAS, it is the intent of the Common Council of the
28 City of Fort Wayne, Indiana, that the Collective Bargaining
29 Agreements hereinafter enumerated be honored by the City of
30 Fort Wayne according to their terms, in all respects, including
31 payment of wages, salaries, and other compensation;

32 NOW THEREFORE, BE IT RESOLVED by the Common Council of
33 the City of Fort Wayne, Indiana, that the Mayor of the City
34 immediately have an ordinance prepared for Council approval
35 which would provide:

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3 1. That notwithstanding any language contained in
4 Ordinance No. S-275-75 and in Special Ordinance No. S-139-76,
5 it is the intent of the Common Council that employees covered
6 by said Collective Bargaining Agreement be paid during calendar
7 years 1977 and 1978 at wage rates established in accordance
8 with Article XXVII of said Collective Bargaining Agreement,
9 subject only to the availability of funds appropriated for
10 personal services in the various departments by Appropriation
11 Ordinance No. A-38-76 (Budget Ordinance for 1977), and such
12 special appropriations as may be made during fiscal year 1977.

13 2.a) It is the intent of the Common Council that
14 SPECIAL ORDINANCE NO. S-139-76 (the Salary Ordinance for 1977)
15 should be amended by substituting for the provisions thereof
16 the following: That all employees of the City of Fort Wayne,
17 Indiana, working in a position covered by the Collective Bar-
18 gaining Agreement between the City of Fort Wayne, Indiana,
19 and Local Lodges 2569, 2570 and 2571, International Associa-
20 tion of Machinists and Aerospace Workers, be compensated in
21 accordance with the provisions of said Collective Bargaining
22 Agreement.


23 b) It is further the intent of said Common Council
24 that the maximum salary for employees in the Civil City of
25 Fort Wayne covered by the provisions of said Collective Bargain-
26 ing Agreement, whose compensation is paid out of General Fund
27 revenues would be stated as follows:

<u>GRADE</u>	<u>SALARY</u>
1	\$ 7686
2	8372
3	9001
4	9630
5	10374
6	11118
7	11918

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8	12834
9	13749
10	14778
11	15808
12	16952
13	18210
14	19469
15	20842

c) It is further the intention of the Common Council that the provisions of Subsection (a) would represent the method for computing maximum annual salaries for persons covered by said Collective Bargaining Agreement. In the event that pursuant to the provisions of said Collective Bargaining Agreement an individual employee is entitled to compensation in an amount less than the maximum salary, such employee's compensation should be computed in accordance with the provisions of the Collective Bargaining Agreement, as incorporated in Subsection a, above.



Councilman

approved as to form and
legality, this 9th day of May 1977
James H. Lopez Attorney for Common Council of
City of St. Marys.

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by Moses, seconded by Hemiger, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>2</u>			
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>		<u>✓</u>			
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>		<u>✓</u>			
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. 25-17 on the 10th day of May, 1977.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER